

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

On October 9, 2001, your Board approved the Resolution Making Application to the Local Agency Formation Commission (LAFCO) for the detachment of the Midbury area from the Consolidated Fire Protection District of Los Angeles County (District). The detachment is being processed as a result of the transfer of the Midbury area from Los Angeles County to Orange County, and its subsequent annexation by the City of Brea. Detachment of this area from the District will formally alleviate the District of any responsibility to provide service to the Midbury area. The City of Brea will be responsible for providing fire protection and emergency medical services.

In order for LAFCO to proceed with the required hearings on the proposed detachment, your Board, as the governing body of the District, must also approve the attached Joint Resolution for the negotiated exchange of property tax revenue for the detachment of the Midbury area. The Joint Resolution has been already approved by both the Board of Supervisors of Orange County and the City Council of the City of Brea.

FISCAL IMPACT/FINANCING:

The approved Joint Resolution will transfer to the County of Orange all property tax revenue attributable to the Midbury area that would have been apportioned to the District, and the District's share of incremental property tax growth in the Midbury area is reduced to zero.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

Your Board approved Ordinance No. 99-0077M on August 24, 1999, authorizing the County boundary change. California Government Code §23218 requires separate proceedings to detach the area from the District. On October 9, 2001, your Board approved the Resolution Making Application to the LAFCO for the detachment of Midbury area and the Amendment of the Sphere of Influence for the District.

Adoption of the Joint Property Tax Resolution by your Board will allow LAFCO to schedule the required public hearing to consider testimony on the proposed detachment. LAFCO will subsequently take action to approve, approve with changes, or disapprove the detachment from the District.

County Counsel has approved the attached resolution as to form.

IMPACT ON CURRENT SERVICES:

Prior to the Midbury area being transferred to Orange County, the District contracted with the City of Brea to provide fire protection services for this area. The Midbury area is now annexed to the City of Brea, which will assume full responsibility for the provision of fire protection services upon completion of the detachment proceedings.

NEGATIVE DECLARATION/ENVIRONMENTAL IMPACT REPORT:

This project is categorically exempt from the California Environmental Quality Act, Section 15320, Class 20 of the California Administrative Code. A Notice of Exemption is enclosed.

CONCLUSION:

Upon adoption of the Joint Resolution, please instruct the Executive Officer-Clerk of the Board to sign the Joint Resolution and to transmit:

- **To the Local Agency Formation Commission** - Two (2) executed original certified copies of the Joint Resolution and one (1) certified copy of the minute order.

The Honorable Board of Supervisors
July 1, 2003
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- **To the District** - Four (4) executed originals of the Joint Resolution, and four (4) copies of the minute order.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. Michael Freeman", with a long horizontal flourish extending to the right.

P. MICHAEL FREEMAN

PMF:KC:fd

Attachments

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller

NOTICE OF EXEMPTION

To: Office of Planning and Research
1400 Tenth Street Room 121
Sacramento, CA 95814

From: (Public Agency) _____
County of Los Angeles Fire Department
320 N. Eastern Ave., L.A. CA 90063-3294

X County Clerk
County of Los Angeles

Project Title: Detachment from Consolidated Fire Protection District of Los Angeles County

Project Location-Specific: Territory being transferred from Los Angeles County to Orange County as shown
on attached map and legal description

Project Location-City: Unincorporated Midbury Area Project Location-County: Los Angeles County

Description of Nature, Purpose and Beneficiaries of Project: Detachment of area from the Consolidated
Fire Protection District of Los Angeles County.

Name of Public Agency Approving Project: County of Los Angeles Local Agency Formation Commission

Name of Person or Agency Carrying Out Project: Consolidated Fire Protection District of L.A. County.
Exempt Status: (Check One)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a)).
☐ Emergency Project (Sec. 21080(b)(4); 15268(b)(c)).
☒ Categorical Exemption

Reasons Why Project Is Exempt: Categorical Exemption, Class 20, local government reorganizations re-
quiring no changes in the area where previous powers were exercised such as the establishment of subsidiary
districts, consolidations and mergers.

Lead Agency Contact Person: Barbara Herrera
Planning Section Area Code/Telephone/Ext.: (323) 881-2404

If Filed by Applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☒ No

David R. [Signature] 9/14/01 Acting Chief, Forestry Division
Signature Date Title

Date received for filing at OPR:



**JOINT RESOLUTION
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, THE
BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE AND THE CITY
COUNCIL OF THE CITY OF BREA APPROVING AND ACCEPTING THE
NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE RESULTING FROM THE
DETACHMENT OF THE MIDBURY NEIGHBORHOOD FROM THE CONSOLIDATED
FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY**

WHEREAS, on August 24, 1999, the Board of Supervisors of the County of Los Angeles adopted an ordinance approving a minor boundary change between the County of Orange and the County of Los Angeles (the "Midbury Annexation"); and

WHEREAS, the Board of Supervisors of the County of Orange adopted a substantially similar ordinance approving the boundary change, pursuant to Government Code 23210; and

WHEREAS, the Midbury Annexation had the effect of transferring the unincorporated Midbury neighborhood (the "Midbury Area") from the jurisdiction of the County of Los Angeles to the County of Orange; and

WHEREAS, the Midbury Area was subsequently annexed to the City of Brea in the County of Orange; and

WHEREAS, separate proceedings are required for the formal detachment of the Midbury Area from the Consolidated Fire Protection District of Los Angeles County (the "CFPD"), pursuant to Government Code Section 23218 which states that any special districts affected by a county boundary change must take separate action subsequent to the boundary change to alter its territory; and

WHEREAS, the Board of Supervisors of the County of Los Angeles adopted a resolution on September 20, 2001 which authorized the CFPD to initiate proceedings with the Local Agency Formation Commission for Los Angeles County (LAFCO) for detachment of the CFPD from the Midbury Area; and

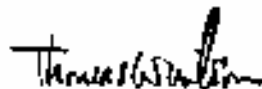
WHEREAS, the CFPD submitted an application to LAFCO to initiate proceedings for the detachment of the CFPD from the Midbury Area; and

WHEREAS, pursuant to Section 99 of the Revenue and Taxation Code, a jurisdictional change shall not become effective until each county and each city included in the negotiation agrees by resolution to accept the negotiated exchange of property tax revenues; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, as the governing body of the CFPD, the Board of Supervisors of the County of Orange and the

The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors, on May 06, 2003, to wit:

AYES:	Supervisors:	CHARLES V. SMITH, BILL CAMPBELL, CHRIS NORBY THOMAS W. WILSON
NOTES:	Supervisor(s):	
EXCLUDED:	Supervisor(s):	JAMES W. SILVA
ABSTAINED:	Supervisor(s):	





CHAIRMAN

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, DARLENE J. BLOOM, Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange County Board of Supervisors.

IN WITNESS WHEREOF, I have hereto set my hand and seal.



DARLENE J. BLOOM
Clerk of the Board
County of Orange, State of California

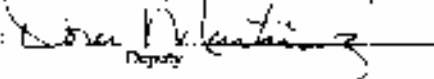
Resolution No: 03-150
Agenda Date: 05/06/2003
Item No: 31



I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors, Orange County, State of California

DARLENE J. BLOOM, Clerk of the Board of Supervisors

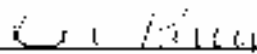
By:



Deputy

(Signed in Counterpart)

The foregoing resolution was adopted on the 4th day of March, 2003.



Mayor, City of Brea

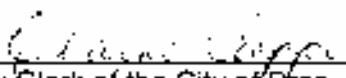
I, ELAINE CAPPS, City Clerk of the City of Brea, do hereby certify that the foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Brea, held on the 4th day of March, 2003, by the following roll call vote:

AYES: COUNCIL MEMBERS: Lenini, Moore, Simonoff, Beauman and Perry

NOES: COUNCIL MEMBERS: None

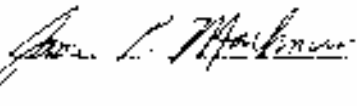
ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None



City Clerk of the City of Brea

APPROVED AS TO FORM
BY CITY ATTORNEY

By 

(Signed in Counterpart)

EXHIBIT "A"

DETACHMENT FROM THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY (FIRE DISTRICT)

Beginning at the southeasterly corner of Tract No. 46685 filed in Book 1209, Pages 56 and 57, of Maps, in the office of the Recorder of the County of Los Angeles, said southeasterly corner being common to the boundaries of Orange and Los Angeles; thence northerly following along the boundary of said Tract No. 46685, the following courses: North 13°53'07" East 100.12 feet, North 76°01'25" West 1018.58 feet, North 85°34'56" West 163.25 feet and South 0°57'29" West 47.01 feet to a point in the northerly line of Tract No. 25335, filed in Book 775, pages 35 and 36 of said Maps, said point distant westerly along said northerly line 10.26 feet from the northeasterly corner of said Tract No. 25335; thence northwesterly following along the boundary of said Tract No. 25335 the following courses: North 76°00'59" West 1224.52 feet and South 0°52'39" West 564.75 feet to a point on the boundary common to Orange and Los Angeles; thence easterly along the north line of Section 3, Township 3 South, Range 10 West, S.B.M. to the point of beginning.

The above described parcel of land contains 17.74 acres. More or less



APPROVED AS TO DESCRIPTION
June 6 20 01
COUNTY OF LOS ANGELES
BY [Signature]
LAND SURVEYOR
Mapping & Property Management Division

RE: D:\legal\midbury-1

